

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

400I0271

## SENATE BILL NO. 24

Introduced by: The Committee on Agriculture and Natural Resources at the request of the  
Department of Agriculture

1 FOR AN ACT ENTITLED, An Act to authorize the secretary of agriculture to suspend or  
2 revoke an egg dealer's or processor's license for certain violations and to provide the licensee  
3 an opportunity for a hearing.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 39-11-17 be amended to read as follows:

6 39-11-17. ~~It shall be the duty of the~~ The secretary of agriculture ~~at any time to~~ shall revoke  
7 or suspend any license issued pursuant to this chapter on evidence that the licensee has violated  
8 any ~~or all~~ of the provisions of this chapter or ~~has refused to comply with any and all lawful~~  
9 ~~regulations promulgated as herein provided~~ regulations promulgated thereunder or has refused  
10 to permit inspection or interfered with inspection. No license ~~shall~~ may be revoked ~~except on~~  
11 ~~twenty days' notice to the licensee or his agent to be served by registered mail, specifying the~~  
12 ~~substance of the complaint and the time and place in which evidence will be heard in support of~~  
13 ~~the complaint. Opportunity shall be afforded such licensee to submit evidence and proof in denial~~  
14 ~~of such charges~~ or suspended unless the license holder has been given an opportunity for hearing.  
15 The secretary shall, upon request of the holder of a permit, fix the time and place of the hearing.



- 1 Notice and hearing shall be made pursuant to chapter 1-26.